

07 Civ. 8813 (RWS)

**DECLARATION OF
K. MURALITHERAPANY IN OPPOSITION TO DEFENDANT'S MOTION TO
VACATE
MARITIME ATTACHMENT**

Exhibit 4

Yvonne Kwek

From: Carol Mulcahy [Carol.Mulcahy@blplaw.com]
Sent: Wednesday, February 06, 2008 5:48 PM
To: Murali Pany
Cc: Yvonne Kwek; law@chauncy.co.uk; Nicole Mak; Michael Polonsky
Subject: FW: AIL v EPT: Books and Records

Dear Mr Pany,

PSL is not prepared to agree to agree to an audit inspection of its books. It finds your client's position of seeking to enforce provisions of the agency agreement against PSL while at the same time contending that PSL is not a party to that agreement to be wholly inconsistent. Although your client asserts that PSL is the agent or sub-contractor of EP-Team, until such time as the tribunal has determined whether this is the case such position can provide no basis for making the request. As indicated in my previous email, your client's request for an audit of the books and records of PSL highlights the advantages of there being a submission agreement under which both parties positions are clearly set out but which nevertheless provides a framework within which requests such as that made by your client can be made and complied with.

Regards

Carol Mulcahy

From: Carol Mulcahy
Sent: 05 February 2008 11:04
To: Murali Pany
Cc: 'Yvonne Kwek'; law@chauncy.co.uk; Nicole Mak; Michael Polonsky
Subject: RE: AIL v EPT: Books and Records

Dear Mr Pany,

Thank you for email of 4 February upon which I am taking PSL's instructions.

Regards

5/14/2008